

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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# MULTIMEDIA UNIVERSITY

## FINAL EXAMINATION

TRIMESTER 2, 2017 / 2018

**DBL5018 – BUSINESS LAW**

( For Diploma Students Only )

2 MARCH 2018

3.00 p.m. – 5.00 p.m.

( 2 Hours )

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### INSTRUCTIONS TO STUDENT

1. This question paper consists of 3 pages with 4 questions.
2. Answer all questions.
3. You are required to cite relevant provisions and case laws.
4. Write all your answers in the Answer Booklet provided.

**QUESTION 1**

- a) Explain any of the (2) **TWO** differences of a public company and a private company.  
(10 marks)
- b) Based on the provision in the Companies Act 2016, list down types of companies related to liability of members.  
(5 marks)
- c) Pure Kiwi Sdn. Bhd. was incorporated in March 2009. The object clause of the company states that:
- i. The company has power to sell, produce and export local silk and cotton merchandises.
  - ii. The company has power to carry on any other business with the approval of the general meeting with simple majority.

In September 2016, the company entered into a personal contract with Dato' Apricot, a director and shareholder of Apricot Sdn. Bhd. The contract was made for a supply of 1000 meters of silk and 500 customised cotton pants for his personal event. It was mentioned in the contract that the items will be delivered to his company, Apricot Sdn. Bhd. in December 2017. However, no payment was made by Dato' Apricot after the delivery has been completed. As a legal advisor, advise Pure Kiwi Sdn. Bhd. on whether Apricot Sdn. Bhd. can be made liable for the non-payment of the contract between Pure Kiwi Sdn. Bhd. and Dato' Apricot.

(10 marks)

**[Total : 25 Marks]**

**QUESTION 2**

- a) Explain the following:
- i. Private Law  
(6 marks)
  - ii. International Law  
(5 marks)
- b) Federal Constitution as the supreme law of the country guarantees several basic rights to the citizen of Malaysia. State any (3) **THREE** basic rights available under the Constitution.  
(6 marks)
- c) Define enactments.  
(2 marks)

**Continued...**

- d) Magistrates' Courts is presided over a magistrate which are divided into First Class Magistrate and Second Class Magistrate. Explain the jurisdiction of First Class Magistrate.

(6 marks)

[Total : 25 Marks]

### **QUESTION 3**

The Hire Purchase Act 1967 came into force on 11 April 1968 and only applies to certain items or goods specified in the First Schedule of the Act.

- a) In brief, explain the procedure for repossession of hire purchase goods with reference to the provisions in the Hire Purchase Act 1967.

(12 marks)

- b) State the contents of the tabular form as required under Section 4C(1)(c) of the Hire Purchase Act 1967.

(5 marks)

- c) State the following:

- i. Any (2) **TWO** implied conditions or warranties in a hire purchase agreement.

(4 marks)

- ii. Any (2) **TWO** statutory rights of a hirer.

(4 marks)

[Total : 25 Marks]

### **QUESTION 4**

- a) Explain any (3) **THREE** ways to revoke an offer.

(6 marks)

- b) In January 2011, Dato' Apple was promoted as a chief executive officer in a prosperous trading company in Kuala Lumpur. He promised his wife, Datin Apple, to give her monthly allowance for the following items:

- i. RM1000 for household items  
ii. RM5000 for travel  
iii. RM3000 for make-up and handbags

In December 2016, Dato' Apple entered into a second marriage and thereafter did not provide such allowance to Datin Apple anymore. Datin Apple wants to take legal action for breach of contract against her husband. Advise Datin Apple.

(10 marks)

**Continued...**

- c) Define the term '**conditions**' in a contract. (2 marks)
- d) Define discharge by performance. (2 marks)
- e) Explain the concept of postal rule. (5 marks)

**[Total : 25 Marks]**

**End of Page.**